

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**ORDER AUTHORIZING SECOND DEPOSITION OF  
FEDERAL PRISONER ANNETTE BONGIORNO**

On May 6, 2016, this Court entered an Order Authorizing the Deposition of Federal Prisoner Annette Bongiorno with Certain Limitations, ECF No. 13240, regarding the profit withdrawal issue.

At a deposition on June 6, 2016, Ms. Bongiorno asserted her rights under the Fifth Amendment and declined to provide any testimony regarding the profit withdrawal issue.

Fact discovery in the profit withdrawal litigation closed on June 13, 2016 under this Court's Order Amending Schedule of Litigation of Profit Withdrawal Issue dated April 5, 2016. ECF No. 13038.

On June 15, 2016, counsel for Irving H. Picard (the "Trustee") as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS") and the estate of Bernard L. Madoff ("Madoff") requested a conference with the Court regarding the scheduling of a second deposition of Annette Bongiorno. ECF No. 13514.

Drs. Joel and Norman Blum, by and through their counsel, objected to the Trustee's request on June 17, 2016.

On June 17, 2017, Ms. Chaitman, on behalf of certain customers, also objected to the Trustee's request. ECF No. 13518.

The Trustee responded via letter submission on June 17, 2017 to both objections and attached correspondence from counsel for Ms. Bongiorno. ECF No. 13523.

The Court held a conference on June 20, 2016. At the hearing, the Court granted the Trustee's request to extend the profit withdrawal litigation discovery period to allow a second deposition of Ms. Bongiorno on the profit withdrawal issue.

For the reasons stated on the record, it is hereby **ORDERED** that:

1. Fact discovery shall be extended solely to allow the Trustee to take the deposition of Annette Bongiorno, on or around July 8, 2016;
2. All provisions of this Court's May 6, 2016 Order Authorizing the Deposition of Federal Prisoner Annette Bongiorno with Certain Limitations, ECF No. 13240, remain in effect and apply to this Order as if fully rewritten herein;
3. This Court shall retain exclusive jurisdiction over the enforcement, implementation, and interpretation of this Order.

Dated: New York, New York  
June 28<sup>th</sup>, 2016

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE